

OPINION
49-87

July 23, 1949 (OPINION)

HIGHWAY PATROL

RE: Retirement Act

I acknowledge receipt of your letter of July 20 requesting an opinion from this office on the so-called North Dakota Highway Patrolmen's Retirement Act, which is chapter 239 of the 1949 Session Laws of North Dakota, and more particularly, section 10 thereof. Section 10 reads as follows:

"Contributions by the State of North Dakota." The state of North Dakota shall annually contribute to the fund a sum equal to the amount contributed by patrolmen to this fund from the driver's license fund."

The question you propound to me is whether or not with the wording of the above quoted section it is necessary to have a special appropriation by the Legislature for the state's share of the retirement system, or of Highway Patrol Fund.

It is the opinion of this office that the wording of section 10 is sufficient to appropriate this money out of the Highway Patrol Fund and that no additional action of the Legislature is necessary to appropriate the same.

WALLACE C. WARNER

Attorney General